

memorandum

DATE: September 23, 1982

REPLY TO
ATTN OF: Mark Hayes *M.H.*

SUBJECT: House committee action on S. 2355
"Telecommunications for the Disabled Act of 1982"

TO: Jack Lee

Today the House Energy and Commerce Committee considered and ordered favorably reported S. 2355, a bill to provide that persons with impaired hearing are ensured reasonable access to telephone service.

However, the version approved by the House committee differs from the Senate-approved version in certain respects. Specifically, the committee first considered a new bill (H.R. 7168) introduced yesterday by Rep. Wirth. An amendment to H.R. 7168 was offered by Rep. Broyhill and approved by the committee by unanimous consent (re: state PUCs to ensure compliance). The committee then approved H.R. 7168 (by voice vote), including the Broyhill amendment.

Thereafter, S. 2355 was ordered favorably reported, after a motion by Rep. Wirth to insert the language of the similar House bill (H.R. 7168, as amended) was agreed to by unanimous consent. Consequently, the bill which will move forward in the House will have the number S.2355 and will have the language of H.R. 7168.

The House and Senate versions are similar. Attention is called to the following sections of the House version which differ from the Senate version: Title of Act; Section 610(b), (g), & (h). (Subsection (h) is the Broyhill amendment.)

Attached are copies of:

- H.R. 7168, as introduced
- The Broyhill amendment
- S. 2355, as approved by the Senate

The staff plans to have the committee report prepared by the end of this week, and the bill may be considered by the House as early as next Monday (Sept. 27).

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U.S. House of Representatives Committee on Energy and Commerce

Room 2123, Rayburn House Office Building

Washington, D.C. 20515

September 23, 1982

FRANK M. POTTER, JR.
 CHIEF COUNSEL AND STAFF DIRECTOR

ACTION TAKEN BY FULL COMMITTEE

H.R. 5949, "Cable Copyright and Signal Carriage Act of 1982", was considered and ORDERED FAVORABLY REPORTED by voice vote, as amended by the Subcommittee.

H.R. 7168, "Telecommunications for the Disabled Act of 1982", was considered and ORDERED FAVORABLY REPORTED, AMENDED, by voice vote.

The following amendment was offered:

An amendment by Mr. Broyhill, (#1), re: state public utilities commissions to ensure compliance, was AGREED TO by unanimous consent.

S. 2355, To amend the Communications Act of 1934 to provide that persons with impaired hearing are ensured reasonable access to telephone service, was ORDERED FAVORABLY REPORTED, after a motion by Mr. Wirth to insert the language of the similar House bill, H.R. 7168, as amended, was agreed to by unanimous consent.

H.R. 6459, To transfer the National Institute for Occupational Safety and Health to the National Institutes of Health, was CONSIDERED, but action was not completed.

***** THE COMMITTEE ADJOURNED UNTIL 10:00 A.M. TUESDAY, SEPT. 28, 1982*****

97TH CONGRESS
2D SESSION

H. R. 7168

To amend the Communications Act of 1934 to provide reasonable access to telephone service for persons with impaired hearing and to enable telephone companies to accommodate persons with other physical disabilities.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 22, 1982

Mr. WIETH (for himself, Mr. BROYHILL, Mrs. COLLINS of Illinois, Mr. LENT, Mr. LONG of Maryland, Mr. MARKEY, Ms. MIKULSKI, Mr. MOORHEAD, Mr. PEPPER, Mr. RINALDO, Mr. SCHEUER, Mr. SWIFT, Mr. TAUKE, Mr. WAXMAN, Mr. WHITTAKER, and Mr. WYDEN) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Communications Act of 1934 to provide reasonable access to telephone service for persons with impaired hearing and to enable telephone companies to accommodate persons with other physical disabilities.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Telecommunications for
4 the Disabled Act of 1982".

5 SEC. 2. The Congress finds that—

1 (1) all persons should have available the best tele-
2 phone service which is technologically and economical-
3 ly feasible;

4 (2) currently available technology is capable of
5 providing telephone service to some individuals who,
6 because of hearing impairments, require telephone re-
7 ception by means of hearing aids with induction coils,
8 or other inductive receptors;

9 (3) the lack of technical standards ensuring com-
10 patibility between hearing aids and telephones has pre-
11 vented receipt of the best telephone service which is
12 technologically and economically feasible; and

13 (4) adoption of technical standards is required in
14 order to ensure compatibility between telephones and
15 hearing aids, thereby accommodating the needs of indi-
16 viduals with hearing impairments.

17 SEC. 3. Title VI of the Communications Act of 1934
18 (47 U.S.C. 601 et seq.) is amended by adding at the end
19 thereof the following new section:

20 ~~“~~TELEPHONE SERVICE FOR THE DISABLED

21 “SEC. 610. (a) The Commission shall establish such
22 regulations as are necessary to ensure reasonable access to
23 telephone service by persons with impaired hearing.

24 “(b) The Commission shall require that essential tele-
25 phones be designed, manufactured, and operated to provide

1 internal means for effective use with hearing aids that are
2 specially designed for telephone use. For purposes of this
3 subsection, the term 'essential telephones' means only coin-
4 operated telephones, telephones provided for emergency use,
5 and other telephones frequently needed for use by persons
6 using such hearing aids.

7 “(c) The Commission shall establish or approve such
8 technical standards as are required to enforce this section.

9 “(d) The Commission shall establish such requirements
10 for the labeling of packaging materials for equipment as are
11 needed to provide adequate information to consumers on the
12 compatibility between telephones and hearing aids.

13 “(e) In any rulemaking to implement the provisions of
14 this section, the Commission shall specifically consider the
15 costs and benefits to all telephone users, including persons
16 with and without hearing impairments. The Commission shall
17 ensure that regulations adopted to implement this section en-
18 courage the use of currently available technology and do not
19 discourage or impair the development of improved technol-
20 ogy.

21 “(f) The Commission shall complete rulemaking actions
22 required by this section and issue such rules and regulations
23 resulting therefrom within one year after the date of enact-
24 ment of the Telecommunications for the Disabled Act of
25 1982. Thereafter the Commission shall periodically review

1 such rules and regulations. Except for coin-operated tele-
2 phones and telephones provided for emergency use, the Com-
3 mission may not require the retrofitting of equipment to
4 achieve the purposes of this section.

5 “(g) Any common carrier or connecting carrier may pro-
6 vide specialized terminal equipment needed by persons whose
7 hearing, speech, vision, or mobility is impaired. The State
8 commission may allow the carrier to recover in its tariffs for
9 regulated service reasonable and prudent costs not charged
10 directly to users of such equipment.”.

○

Amendment to H.R. 7168
Offered by Mr. Broyhill

Add a new subsection (h) as follows:

(h) State public utilities commissions, and not the Commission, shall ensure compliance with subsections (a) and (b), and any regulations adopted by the Commission pursuant thereto.

97TH CONGRESS
2D SESSION

S. 2355

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 8, 1982

Referred to the Committee on Energy and Commerce

AN ACT

To amend the Communications Act of 1934 to provide that persons with impaired hearing are ensured reasonable access to telephone service.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Congress hereby finds that—

4 (1) all persons subscribing to our otherwise receiv-
5 ing telephone service in the Nation should receive the
6 best service which is technologically and economically
7 feasible;

8 (2) currently available technology is capable of
9 providing telephone service to some of those individuals
10 who, because of hearing impairments, require telephone
11 reception by means of hearing aids with induction coils,
12 or other inductive receptors;

(3) the lack of technical standards ensuring compatibility between hearing aids and telephones has prevented receipt of the best service which is technologically and economically feasible; and

(4) adoption of technical standards is required in order to ensure compatibility between telephones and hearing aids, thereby accommodating the needs of individuals with hearing impairments.

9 SEC. 2. Title II of the Communications Act of 1934 (47
10 U.S.C. 201 et seq.) is amended by adding at the end thereof
11 the following new section:

12 "TELEPHONE SERVICE TO PERSONS WITH IMPAIRED
13 HEARING

14 “SEC. 225. (a) The Commission shall establish such
15 regulations as are necessary to ensure reasonable access to
16 telephone service by persons with impaired hearing.

17 “(b) In ensuring such access, the Commission shall re-
18 quire that coin-operated public telephones be designed, man-
19 ufactured, and operated so as to provide internal means for
20 coupling with hearing aids. The Commission may also require
21 that other telephones frequently used by the public or pro-
22 vided for emergency use be similarly designed, manufactured,
23 and operated.

1 “(c) The Commission may establish such technical
2 standards as are required in order to ensure compatibility be-
3 tween telephones and hearing aids.

4 “(d) The Commission shall establish such requirements
5 for the labeling of packaging materials for equipment as are
6 needed to provide adequate information to consumers on the
7 compatibility between telephones and hearing aids.

8 “(e) In any rulemaking to implement the provisions of
9 this section, the Commission shall specifically consider the
10 costs and benefits to all telephone users, including persons
11 with and without hearing impairments. The Commission shall
12 ensure that regulations adopted to implement this section en-
13 courage the use of currently available technology and do not
14 discourage or impair the development of new technology.

15 “(f) The Commission shall complete rulemaking actions
16 required by this section and issue such rules and regulations
17 resulting therefrom within one year after the date of enact-
18 ment of this section of the Act. Thereafter the Commission
19 shall periodically review such rules and regulations. Except
20 for coin-operated public telephones and telephones provided
21 for emergency use, the Commission may not require the re-

1 trofitting of equipment to achieve the purposes of this sec-
2 tion.”.

Passed the Senate August 18 (legislative day,
August 17), 1982.

Attest: **WILLIAM F. HILDENBRAND,**
Secretary.

TIMOTHY E. WIRTH, COLO., CHAIRMAN

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(EX OFFICIO)

U.S. House of Representatives
SUBCOMMITTEE ON TELECOMMUNICATIONS,
CONSUMER PROTECTION, AND FINANCE
OF THE
COMMITTEE ON ENERGY AND COMMERCE
Washington, D.C. 20515

September 23, 1982

TO: Members and Staff, Committee on Energy and Commerce

FROM: Timothy E. Wirth, Chairman, Subcommittee on Telecommunications, Consumer Protection, and Finance

SUBJECT: Telecommunications for the Disabled Act of 1982
(H.R. 7168)

On September 22, 1982, fourteen members of this Committee joined Mr. Pepper, chairman of the Committee on Aging, and Dr. Long of Maryland to introduce the Telecommunications for the Disabled Act of 1982. The legislation is an effort to reach a compromise between a bill previously introduced by Dr. Long, H.R. 375, and S. 2355, which passed the Senate on August 18, 1982. The bill also addresses the need of persons with physical disabilities to obtain specialized terminal equipment at affordable prices after the Federal Communications Commission's Computer II decision deregulates telephones and other equipment now provided by the local telephone company.

I. Need for Legislation

The Nation's telephone companies have traditionally gone to substantial lengths to accommodate the needs of the physically impaired. The Bell System Companies have shown a particular commitment to the handicapped, perhaps reflecting that Dr. Bell invented the telephone in the course of his attempts to aid the deaf. One prominent example of the industry's efforts has been the maintenance of public telephones that are compatible with hearing aids. Today, all coin-operated telephones owned by Bell Operating Companies can be used with specially designed hearing aids; by the end of this year, the same will be true in territories served by GTE.

Presently, telephone companies also cooperate with State utility commissions to ensure that persons with other handicaps have access to our telephone network. The totally deaf may obtain teletypewriters from the local telephone company. Persons unable to speak can use artificial larynxes developed by Bell Labs. Perhaps most dramatically, persons with severe mobility impairments can signal an operator by exhaling on a piece of tin foil. Last week, Bell Labs announced another breakthrough for the disabled -- a paralyzed individual would be able to activate a telephone with his voice, speak the number, and complete a call without assistance. Many local telephone companies provide these types of equipment below cost, and the unrecovered expenses of including these persons in the network are shared by all users.

In most States, carriers have worked with the State commission to develop reasonable programs to meet the needs of the hearing aid user and of other persons with special problems. But an unintended consequence of a new government regulation would jeopardize this status quo and make it impossible for the telephone company effectively to serve the handicapped.

Computer II, which becomes effective this January, will prohibit telephone companies from subsidizing terminal equipment and will require each user to pay the full market price for equipment in his or her home and place of business. For ordinary ratepayers, deregulation ensures a competitive market in telephone sets that eliminates subsidies from local rates. The FCC has properly relied upon competition to provide ordinary telephone equipment at affordable prices. For the disabled, however, the ban on cross-subsidization will mean price increases on the costly devices that are necessary for them to have access to the telephone network. If the disabled person is unable to afford the full costs of this equipment, he or she will lose telephone service. This will disserve the statutory goal of universal service and may deprive the individual of an opportunity to be gainfully employed or even require him or her to enter an institution. The costs to society, as well as the impairment to the quality of the individual's life, far exceed the costs that the current system allows telephone companies to include in their general revenue requirements. The current system relies on the private enterprise of the telephone carriers rather than on a government bureaucracy to ensure that the handicapped are part of the telephone network. If Computer II were implemented, could any of us expect State and local governments to establish procurement authorities to purchase and install the equipment the disabled need to communicate? Even if the States could assume this burden, it is unlikely that they could achieve the task as cost-effectively as the telephone company.

H.R. 5158 included a more comprehensive attempt to ensure continued universality of telephone service after the deregulation of competitive carriers and the divestiture of the Bell System. Since all Americans benefit from our ability to reach rural areas, a system of access charges provided a market mechanism to finance an efficient share of high-cost lines. Although comprehensive reform legislation must now wait for action in the 98th Congress, H.R. 7168 is a specific step we can take to help this important group -- the physically disabled -- before Computer II takes effect in January.

II. Relationship of Legislation to Existing Law

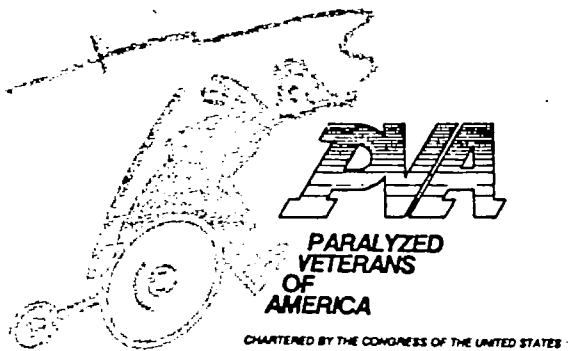
There is no specific provision of federal law relating to telecommunications for the disabled. The matter has traditionally been handled by State law and State regulatory action. The State of California, for example, has a statute that requires telephone companies to provide special equipment at nominal rates with excess costs recovered in the general revenue requirement. Computer II preempts these State laws and deregulates all terminal equipment effective January 1, 1983.

The bill requires a rulemaking at the FCC to make Computer II consistent with the legislation. Because of the industry's record of cooperation with State commissions, the legislation does not specifically address the possibility that a carrier will decline to participate in a program to make equipment available. The Commission may address this issue, if necessary, in its reconsideration of Computer II.

The bill states that the Commission will require essential telephones to be "operated" so as to enable effective use by persons using specially designed hearing aids. It does not, however, envision direct enforcement of this requirement by the FCC against persons other than carriers (such as hotel owners) who "operate" telephone. Again, the bill expects widespread voluntary compliance and makes clear that federal law will no longer preempt State and local enforcement efforts. The FCC may also require carriers to include as a condition of offering tariffed service the requirement that subscribers operating places of public accommodation comply with the Act.

H.R. 7168 has been endorsed by:

American Association of Retired Persons
American Council of the Blind
American Telephone and Telegraph Co. and the Bell System Companies
Disabled American Veterans
Gallaudet College
General Telephone and Electronics
Independence Center of Northern Virginia
National Association of the Deaf
National Easter Seals
Paralyzed Veterans of America



September 22, 1982

Honorable Timothy E. Wirth, Chairman
Subcommittee on Telecommunications,
Consumer Protection, and Finance
Committee on Energy and Commerce
U.S. House of Representatives .
Washington, D. C. 20510

Dear Representative Wirth:

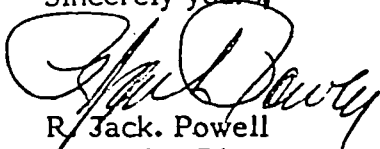
On behalf of the 11,000 members of Paralyzed Veterans of America, I want to express appreciation for your efforts to promote access to the telephone communications system for individuals with physical impairments. Your recognition of the importance of improved and available communications for disabled citizens and the essential role modern communications play in assisting disabled people to achieve maximum independence is gratifying.

Your legislative proposal clearly addresses many problems presently facing disabled citizens regarding the acquisition and payment for specialized communications equipment. The recent Federal Communications Commission decision, Computer II, would preclude many individuals from obtaining this necessary, and often only means of contact with other people including vital medical and emergency personnel. Additionally, this FCC decision serves to retard technological innovations which benefit disabled people by drastically restricting their use and potential market.

Under the Computer II decision telephone companies would be prevented from subsidizing special and unique equipment which meet the needs of handicapped individuals. This not only will sever their primary means of communications but will also, in certain cases, prevent their gainful employment. This decision is unduly harsh and restrictive as it applies to devices for disabled people and presents a great hardship and peril to many of the most catastrophically disabled citizens.

Again, thank you for your recognition of this issue. If I or any member of my staff can further assist you in securing passage of this legislation, please contact us.

Sincerely yours,


R. Jack Powell
Executive Director



Motto: "If I cannot speak good of my comrade, I will not speak ill of him."

DISABLED AMERICAN VETERANS

NATIONAL SERVICE and LEGISLATIVE HEADQUARTERS
807 MAINE AVENUE, S.W.
WASHINGTON, D.C. 20024
(202) 554-3501

September 23, 1982

Honorable Timothy E. Wirth
U.S. House of Representatives
Chairman, Subcommittee on Telecommunications,
Consumer Protection and Finance
Committee on Energy and Commerce
B331 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Wirth:

I am writing to you in response to the legislation you are proposing that would amend the Communications Act of 1934 to provide reasonable access to telephone service for persons with impaired hearing and enable telephone companies to accommodate persons with other physical disabilities.

Quite frankly, the Disabled American Veterans has supported efforts to improve the lives of all American citizens with physical and mental disabilities, particularly, those disabled while in the wartime service to the United States.

A review of the legislation which you are proposing reveals that essential and frequently used coin operated telephones will be made compatible for specially equipped hearing aids utilized by the hearing impaired.

As equally important, your bill will finally permit telephone companies to make special telephone communications equipment available to the seriously handicapped at affordable costs.

Chairman Wirth, the DAV believes that your proposal will, if enacted, go a long way towards improving the quality of life for millions of hearing impaired and physically handicapped Americans.

Honorable Timothy E. Wirth
September 23, 1982
Page 2

On behalf of the 687,000 members of the Disabled American Veterans, I am pleased to strongly endorse your proposal and thank you for your endeavors to enable handicapped citizens to gain greater freedom and access to the mainstream of American society.

Sincerely yours,

A handwritten signature in cursive script that reads "Edward G. Galian". The signature is written in dark ink and is positioned above the printed name and title.

EDWARD G. GALIAN
National Commander

EGG:ar

memorandum

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97TH CONGRESS
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H. R. 7168

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SEPTEMBER 22, 1982

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21 “(f) The Commission shall complete rulemaking actions
22 required by this section and issue such rules and regulations
23 resulting therefrom within one year after the date of enact-
24 ment of the Telecommunications for the Disabled Act of
25 1982. Thereafter the Commission shall periodically review

1 such rules and regulations. Except for coin-operated tele-
2 phones and telephones provided for emergency use, the Com-
3 mission may not require the retrofitting of equipment to
4 achieve the purposes of this section.

5 “(g) Any common carrier or connecting carrier may pro-
6 vide specialized terminal equipment needed by persons whose
7 hearing, speech, vision, or mobility is impaired. The State
8 commission may allow the carrier to recover in its tariffs for
9 regulated service reasonable and prudent costs not charged
10 directly to users of such equipment.”.

○

Amendment to H.R. 7168
Offered by Mr. Broyhill

Add a new subsection (h) as follows:

(h) State public utilities commissions, and not the Commission, shall ensure compliance with subsections (a) and (b), and any regulations adopted by the Commission pursuant thereto.

97TH CONGRESS
2D SESSION

S. 2355

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 8, 1982

Referred to the Committee on Energy and Commerce

AN ACT

To amend the Communications Act of 1934 to provide that persons with impaired hearing are ensured reasonable access to telephone service.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Congress hereby finds that—

4 (1) all persons subscribing to our otherwise receiv-
5 ing telephone service in the Nation should receive the
6 best service which is technologically and economically
7 feasible;

8 (2) currently available technology is capable of
9 providing telephone service to some of those individuals
10 who, because of hearing impairments, require telephone
11 reception by means of hearing aids with induction coils,
12 or other inductive receptors;

(4) adoption of technical standards is required in order to ensure compatibility between telephones and hearing aids, thereby accommodating the needs of individuals with hearing impairments.

9 SEC. 2. Title II of the Communications Act of 1934 (47
10 U.S.C. 201 et seq.) is amended by adding at the end thereof
11 the following new section:

12 "TELEPHONE SERVICE TO PERSONS WITH IMPAIRED
13 HEARING

14 “SEC. 225. (a) The Commission shall establish such
15 regulations as are necessary to ensure reasonable access to
16 telephone service by persons with impaired hearing.

17 “(b) In ensuring such access, the Commission shall re-
18 quire that coin-operated public telephones be designed, man-
19 ufactured, and operated so as to provide internal means for
20 coupling with hearing aids. The Commission may also require
21 that other telephones frequently used by the public or pro-
22 vided for emergency use be similarly designed, manufactured,
23 and operated.

1 “(c) The Commission may establish such technical
2 standards as are required in order to ensure compatibility be-
3 tween telephones and hearing aids.

4 “(d) The Commission shall establish such requirements
5 for the labeling of packaging materials for equipment as are
6 needed to provide adequate information to consumers on the
7 compatibility between telephones and hearing aids.

8 “(e) In any rulemaking to implement the provisions of
9 this section, the Commission shall specifically consider the
10 costs and benefits to all telephone users, including persons
11 with and without hearing impairments. The Commission shall
12 ensure that regulations adopted to implement this section en-
13 courage the use of currently available technology and do not
14 discourage or impair the development of new technology.

15 “(f) The Commission shall complete rulemaking actions
16 required by this section and issue such rules and regulations
17 resulting therefrom within one year after the date of enact-
18 ment of this section of the Act. Thereafter the Commission
19 shall periodically review such rules and regulations. Except
20 for coin-operated public telephones and telephones provided
21 for emergency use, the Commission may not require the re-

1 trofitting of equipment to achieve the purposes of this sec-
2 tion.”.

Passed the Senate August 18 (legislative day,
August 17), 1982.

Attest: WILLIAM F. HILDENBRAND,
Secretary.

TIMOTHY E. WIRTH, COLO., CHAIRMAN

RONALD M. MOTT, OHIO
JAMES H. SCHUEY, N.Y.
EDWARD J. MARKEY, MASS.
THOMAS A. LUCEN, OHIO
AL SWIFT, WASH.
HENRY A. WADMAN, CALIF.
CARLOS COLLINS, ILL.
W. A. "BILLY" TAYLOR, LA.
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MARC L. MARKE, PA.
THOMAS J. TAURKE, IOWA
THOMAS J. BULLEY, JR., VA.
JAMES T. BROTHILL, N.C.
(EX OFFICIO)

U.S. House of Representatives
SUBCOMMITTEE ON TELECOMMUNICATIONS,
CONSUMER PROTECTION, AND FINANCE
OF THE
COMMITTEE ON ENERGY AND COMMERCE
Washington, D.C. 20515

September 23, 1982

TO: Members and Staff, Committee on Energy and Commerce

FROM: Timothy E. Wirth, Chairman, Subcommittee on Telecommunications, Consumer Protection, and Finance

SUBJECT: Telecommunications for the Disabled Act of 1982
(H.R. 7168)

On September 22, 1982, fourteen members of this Committee joined Mr. Pepper, chairman of the Committee on Aging, and Dr. Long of Maryland to introduce the Telecommunications for the Disabled Act of 1982. The legislation is an effort to reach a compromise between a bill previously introduced by Dr. Long, H.R. 375, and S. 2355, which passed the Senate on August 18, 1982. The bill also addresses the need of persons with physical disabilities to obtain specialized terminal equipment at affordable prices after the Federal Communications Commission's Computer II decision deregulates telephones and other equipment now provided by the local telephone company.

I. Need for Legislation

The Nation's telephone companies have traditionally gone to substantial lengths to accommodate the needs of the physically impaired. The Bell System Companies have shown a particular commitment to the handicapped, perhaps reflecting that Dr. Bell invented the telephone in the course of his attempts to aid the deaf. One prominent example of the industry's efforts has been the maintenance of public telephones that are compatible with hearing aids. Today, all coin-operated telephones owned by Bell Operating Companies can be used with specially designed hearing aids; by the end of this year, the same will be true in territories served by GTE.

Presently, telephone companies also cooperate with State utility commissions to ensure that persons with other handicaps have access to our telephone network. The totally deaf may obtain teletypewriters from the local telephone company. Persons unable to speak can use artificial larynxes developed by Bell Labs. Perhaps most dramatically, persons with severe mobility impairments can signal an operator by exhaling on a piece of tin foil. Last week, Bell Labs announced another breakthrough for the disabled -- a paralyzed individual would be able to activate a telephone with his voice, speak the number, and complete a call without assistance. Many local telephone companies provide these types of equipment below cost, and the unrecovered expenses of including these persons in the network are shared by all users.

In most States, carriers have worked with the State commission to develop reasonable programs to meet the needs of the hearing aid user and of other persons with special problems. But an unintended consequence of a new government regulation would jeopardize this status quo and make it impossible for the telephone company effectively to serve the handicapped.

Computer II, which becomes effective this January, will prohibit telephone companies from subsidizing terminal equipment and will require each user to pay the full market price for equipment in his or her home and place of business. For ordinary ratepayers, deregulation ensures a competitive market in telephone sets that eliminates subsidies from local rates. The FCC has properly relied upon competition to provide ordinary telephone equipment at affordable prices. For the disabled, however, the ban on cross-subsidization will mean price increases on the costly devices that are necessary for them to have access to the telephone network. If the disabled person is unable to afford the full costs of this equipment, he or she will lose telephone service. This will disserve the statutory goal of universal service and may deprive the individual of an opportunity to be gainfully employed or even require him or her to enter an institution. The costs to society, as well as the impairment to the quality of the individual's life, far exceed the costs that the current system allows telephone companies to include in their general revenue requirements. The current system relies on the private enterprise of the telephone carriers rather than on a government bureaucracy to ensure that the handicapped are part of the telephone network. If Computer II were implemented, could any of us expect State and local governments to establish procurement authorities to purchase and install the equipment the disabled need to communicate? Even if the States could assume this burden, it is unlikely that they could achieve the task as cost-effectively as the telephone company.

H.R. 5158 included a more comprehensive attempt to ensure continued universality of telephone service after the deregulation of competitive carriers and the divestiture of the Bell System. Since all Americans benefit from our ability to reach rural areas, a system of access charges provided a market mechanism to finance an efficient share of high-cost lines. Although comprehensive reform legislation must now wait for action in the 98th Congress, H.R. 7168 is a specific step we can take to help this important group -- the physically disabled -- before Computer II takes effect in January.

II. Relationship of Legislation to Existing Law

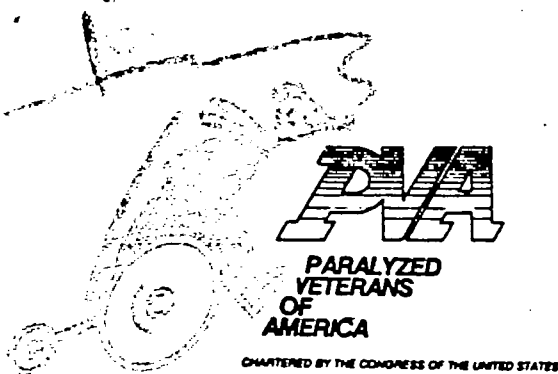
There is no specific provision of federal law relating to telecommunications for the disabled. The matter has traditionally been handled by State law and State regulatory action. The State of California, for example, has a statute that requires telephone companies to provide special equipment at nominal rates with excess costs recovered in the general revenue requirement. Computer II preempts these State laws and deregulates all terminal equipment effective January 1, 1983.

The bill requires a rulemaking at the FCC to make Computer II consistent with the legislation. Because of the industry's record of cooperation with State commissions, the legislation does not specifically address the possibility that a carrier will decline to participate in a program to make equipment available. The Commission may address this issue, if necessary, in its reconsideration of Computer II.

The bill states that the Commission will require essential telephones to be "operated" so as to enable effective use by persons using specially designed hearing aids. It does not, however, envision direct enforcement of this requirement by the FCC against persons other than carriers (such as hotel owners) who "operate" telephone. Again, the bill expects widespread voluntary compliance and makes clear that federal law will no longer preempt State and local enforcement efforts. The FCC may also require carriers to include as a condition of offering tariffed service the requirement that subscribers operating places of public accommodation comply with the Act.

H.R. 7168 has been endorsed by:

American Association of Retired Persons
American Council of the Blind
American Telephone and Telegraph Co. and the Bell System Companies
Disabled American Veterans
Gallaudet College
General Telephone and Electronics
Independence Center of Northern Virginia
National Association of the Deaf
National Easter Seals
Paralyzed Veterans of America



September 22, 1982

Honorable Timothy E. Wirth, Chairman
Subcommittee on Telecommunications,
Consumer Protection, and Finance
Committee on Energy and Commerce
U.S. House of Representatives .
Washington, D. C. 20510

Dear Representative Wirth:

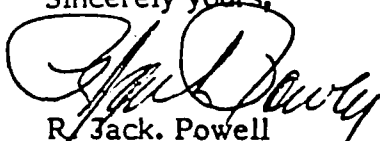
On behalf of the 11,000 members of Paralyzed Veterans of America, I want to express appreciation for your efforts to promote access to the telephone communications system for individuals with physical impairments. Your recognition of the importance of improved and available communications for disabled citizens and the essential role modern communications play in assisting disabled people to achieve maximum independence is gratifying.

Your legislative proposal clearly addresses many problems presently facing disabled citizens regarding the acquisition and payment for specialized communications equipment. The recent Federal Communications Commission decision, Computer II, would preclude many individuals from obtaining this necessary, and often only means of contact with other people including vital medical and emergency personnel. Additionally, this FCC decision serves to retard technological innovations which benefit disabled people by drastically restricting their use and potential market.

Under the Computer II decision telephone companies would be prevented from subsidizing special and unique equipment which meet the needs of handicapped individuals. This not only will sever their primary means of communications but will also, in certain cases, prevent their gainful employment. This decision is unduly harsh and restrictive as it applies to devices for disabled people and presents a great hardship and peril to many of the most catastrophically disabled citizens.

Again, thank you for your recognition of this issue. If I or any member of my staff can further assist you in securing passage of this legislation, please contact us.

Sincerely yours,


R. Jack Powell
Executive Director



Motto: "If I cannot speak good of my comrade, I will not speak ill of him."

DISABLED AMERICAN VETERANS

NATIONAL SERVICE and LEGISLATIVE HEADQUARTERS
807 MAINE AVENUE, S.W.
WASHINGTON, D.C. 20024
(202) 554-3501

September 23, 1982

Honorable Timothy E. Wirth
U.S. House of Representatives
Chairman, Subcommittee on Telecommunications,
Consumer Protection and Finance
Committee on Energy and Commerce
B331 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Wirth:

I am writing to you in response to the legislation you are proposing that would amend the Communications Act of 1934 to provide reasonable access to telephone service for persons with impaired hearing and enable telephone companies to accommodate persons with other physical disabilities.

Quite frankly, the Disabled American Veterans has supported efforts to improve the lives of all American citizens with physical and mental disabilities, particularly, those disabled while in the wartime service to the United States.

A review of the legislation which you are proposing reveals that essential and frequently used coin operated telephones will be made compatible for specially equipped hearing aids utilized by the hearing impaired.

As equally important, your bill will finally permit telephone companies to make special telephone communications equipment available to the seriously handicapped at affordable costs.

Chairman Wirth, the DAV believes that your proposal will, if enacted, go a long way towards improving the quality of life for millions of hearing impaired and physically handicapped Americans.

Honorable Timothy E. Wirth
September 23, 1982
Page 2

On behalf of the 687,000 members of the Disabled American Veterans, I am pleased to strongly endorse your proposal and thank you for your endeavors to enable handicapped citizens to gain greater freedom and access to the mainstream of American society.

Sincerely yours,

A handwritten signature in cursive script that reads "Edward G. Galian".

EDWARD G. GALIAN
National Commander

EGG:ar

memorandum

DATE: September 23, 1982

REPLY TO
ATTN OF: Mark Hayes **A.H.**

SUBJECT: House committee action on S. 2355
"Telecommunications for the Disabled Act of 1982"

TO: Jack Lee

Today the House Energy and Commerce Committee considered and ordered favorably reported S. 2355, a bill to provide that persons with impaired hearing are ensured reasonable access to telephone service.

However, the version approved by the House committee differs from the Senate-approved version in certain respects. Specifically, the committee first considered a new bill (H.R. 7168) introduced yesterday by Rep. Wirth. An amendment to H.R. 7168 was offered by Rep. Broyhill and approved by the committee by unanimous consent (re: state PUCs to ensure compliance). The committee then approved H.R. 7168 (by voice vote), including the Broyhill amendment.

Thereafter, S. 2355 was ordered favorably reported, after a motion by Rep. Wirth to insert the language of the similar House bill (H.R. 7168, as amended) was agreed to by unanimous consent. Consequently, the bill which will move forward in the House will have the number S.2355 and will have the language of H.R. 7168.

The House and Senate versions are similar. Attention is called to the following sections of the House version which differ from the Senate version: Title of Act; Section 610(b), (g), & (h). (Subsection (h) is the Broyhill amendment.)

Attached are copies of:

- H.R. 7168, as introduced
- The Broyhill amendment
- S. 2355, as approved by the Senate

The staff plans to have the committee report prepared by the end of this week, and the bill may be considered by the House as early as next Monday (Sept. 27).

JOHN D. DONNELLY, MICH., CHAIRMAN

JAMES H. SCHUELER, N.Y.
 RICHARD L. OTTINGER, N.Y.
 HENRY A. WAXMAN, CALIF.
 TIMOTHY E. WIRTH, COLO.
 PHILIP R. SHARP, IND.
 JAMES J. FLORIO, N.J.
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 BARBARA A. MIKULSKI, MD.
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 MICKY LELAND, TEX.
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 MIKE SYNAR, OKLA.
 W. J. "BILLY" TAUZIN, LA.
 RON WYDEN, OREG.
 RALPH M. HALL, TEX.

JAMES T. BROYHILL, N.C.
 CLARENCE J. BROWN, OHIO
 JAMES M. COLLINS, TEX.
 NORMAN F. LENT, N.Y.
 EDWARD R. MADIGAN, ILL.
 CARLOS J. MOOREHEAD, CALIF.
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 MARC L. MARKE, PA.
 TOM CONCORAN, ILL.
 GARY A. LEE, N.Y.
 WILLIAM E. DANKEMEYER, CALIF.
 BOB WHITTAKER, KANS.
 THOMAS J. TAURKE, IOWA
 DON RITTER, PA.
 HAROLD ROGERS, KY.
 CLEVE BENEDICT, W. VA.
 DANIEL R. COATS, IND.
 THOMAS J. SILEY, JR., VA.

U.S. House of Representatives Committee on Energy and Commerce

Room 2123, Rayburn House Office Building

Washington, D.C. 20515

September 23, 1982

FRANK M. POTTER, JR.
 CHIEF COUNSEL AND STAFF DIRECTOR

ACTION TAKEN BY FULL COMMITTEE

H.R. 5949, "Cable Copyright and Signal Carriage Act of 1982", was considered and ORDERED FAVORABLY REPORTED by voice vote, as amended by the Subcommittee.

H.R. 7168, "Telecommunications for the Disabled Act of 1982", was considered and ORDERED FAVORABLY REPORTED, AMENDED, by voice vote.

The following amendment was offered:

An amendment by Mr. Broyhill, (#1), re: state public utilities commissions to ensure compliance, was AGREED TO by unanimous consent.

S. 2355, To amend the Communications Act of 1934 to provide that persons with impaired hearing are ensured reasonable access to telephone service, was ORDERED FAVORABLY REPORTED, after a motion by Mr. Wirth to insert the language of the similar House bill, H.R. 7168, as amended, was agreed to by unanimous consent.

H.R. 6459, To transfer the National Institute for Occupational Safety and Health to the National Institutes of Health, was CONSIDERED, but action was not completed.

***** THE COMMITTEE ADJOURNED UNTIL 10:00 A.M. TUESDAY, SEPT. 28, 1982*****

97TH CONGRESS
2D SESSION

H. R. 7168

To amend the Communications Act of 1934 to provide reasonable access to telephone service for persons with impaired hearing and to enable telephone companies to accommodate persons with other physical disabilities.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 22, 1982

Mr. WIRTH (for himself, Mr. BROYHILL, Mrs. COLLINS of Illinois, Mr. LENT, Mr. LONG of Maryland, Mr. MARKEY, Ms. MIKULSKI, Mr. MOORHEAD, Mr. PEPPER, Mr. RINALDO, Mr. SCHEUER, Mr. SWIFT, Mr. TAUKE, Mr. WAXMAN, Mr. WHITTAKER, and Mr. WYDEN) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Communications Act of 1934 to provide reasonable access to telephone service for persons with impaired hearing and to enable telephone companies to accommodate persons with other physical disabilities.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Telecommunications for
4 the Disabled Act of 1982".

5 SEC. 2. The Congress finds that—

1 (1) all persons should have available the best tele-
2 phone service which is technologically and economical-
3 ly feasible;

4 (2) currently available technology is capable of
5 providing telephone service to some individuals who,
6 because of hearing impairments, require telephone re-
7 ception by means of hearing aids with induction coils,
8 or other inductive receptors;

9 (3) the lack of technical standards ensuring com-
10 patibility between hearing aids and telephones has pre-
11 vented receipt of the best telephone service which is
12 technologically and economically feasible; and

13 (4) adoption of technical standards is required in
14 order to ensure compatibility between telephones and
15 hearing aids, thereby accommodating the needs of indi-
16 viduals with hearing impairments.

17 SEC. 3. Title VI of the Communications Act of 1934
18 (47 U.S.C. 601 et seq.) is amended by adding at the end
19 thereof the following new section:

20 "TELEPHONE SERVICE FOR THE DISABLED

21 "SEC. 610. (a) The Commission shall establish such
22 regulations as are necessary to ensure reasonable access to
23 telephone service by persons with impaired hearing.

24 "(b) The Commission shall require that essential tele-
25 phones be designed, manufactured, and operated to provide

1 internal means for effective use with hearing aids that are
2 specially designed for telephone use. For purposes of this
3 subsection, the term 'essential telephones' means only coin-
4 operated telephones, telephones provided for emergency use,
5 and other telephones frequently needed for use by persons
6 using such hearing aids.

7 “(c) The Commission shall establish or approve such
8 technical standards as are required to enforce this section.

9 “(d) The Commission shall establish such requirements
10 for the labeling of packaging materials for equipment as are
11 needed to provide adequate information to consumers on the
12 compatibility between telephones and hearing aids.

13 “(e) In any rulemaking to implement the provisions of
14 this section, the Commission shall specifically consider the
15 costs and benefits to all telephone users, including persons
16 with and without hearing impairments. The Commission shall
17 ensure that regulations adopted to implement this section en-
18 courage the use of currently available technology and do not
19 discourage or impair the development of improved technol-
20 ogy.

21 “(f) The Commission shall complete rulemaking actions
22 required by this section and issue such rules and regulations
23 resulting therefrom within one year after the date of enact-
24 ment of the Telecommunications for the Disabled Act of
25 1982. Thereafter the Commission shall periodically review

1 such rules and regulations. Except for coin-operated tele-
2 phones and telephones provided for emergency use, the Com-
3 mission may not require the retrofitting of equipment to
4 achieve the purposes of this section.

5 “(g) Any common carrier or connecting carrier may pro-
6 vide specialized terminal equipment needed by persons whose
7 hearing, speech, vision, or mobility is impaired. The State
8 commission may allow the carrier to recover in its tariffs for
9 regulated service reasonable and prudent costs not charged
10 directly to users of such equipment.”.

○

Amendment to H.R. 7168
Offered by Mr. Broyhill

Add a new subsection (h) as follows:

(h) State public utilities commissions, and not the Commission, shall ensure compliance with subsections (a) and (b), and any regulations adopted by the Commission pursuant thereto.

97TH CONGRESS
2D SESSION

S. 2355

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 8, 1982

Referred to the Committee on Energy and Commerce

AN ACT

To amend the Communications Act of 1934 to provide that persons with impaired hearing are ensured reasonable access to telephone service.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Congress hereby finds that—

4 (1) all persons subscribing to our otherwise receiv-
5 ing telephone service in the Nation should receive the
6 best service which is technologically and economically
7 feasible;

8 (2) currently available technology is capable of
9 providing telephone service to some of those individuals
10 who, because of hearing impairments, require telephone
11 reception by means of hearing aids with induction coils,
12 or other inductive receptors;

(4) adoption of technical standards is required in order to ensure compatibility between telephones and hearing aids, thereby accommodating the needs of individuals with hearing impairments.

9 SEC. 2. Title II of the Communications Act of 1934 (47
10 U.S.C. 201 et seq.) is amended by adding at the end thereof
11 the following new section:

12 "TELEPHONE SERVICE TO PERSONS WITH IMPAIRED
13 HEARING

14 “SEC. 225. (a) The Commission shall establish such
15 regulations as are necessary to ensure reasonable access to
16 telephone service by persons with impaired hearing.

17 “(b) In ensuring such access, the Commission shall re-
18 quire that coin-operated public telephones be designed, man-
19 ufactured, and operated so as to provide internal means for
20 coupling with hearing aids. The Commission may also require
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19 shall periodically review such rules and regulations. Except
20 for coin-operated public telephones and telephones provided
21 for emergency use, the Commission may not require the re-

1 trofitting of equipment to achieve the purposes of this sec-
2 tion.”.

Passed the Senate August 18 (legislative day,
August 17), 1982.

Attest: WILLIAM F. HILDENBRAND,
Secretary.

TIMOTHY E. WIRTH, COLO., CHAIRMAN

RONALD M. MOTT, OHIO
JAMES H. SCHUEER, N.Y.
EDWARD J. MARKEY, MASS.
THOMAS A. LUKEN, OHIO
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CARLOS J. MOORHEAD, CALIF.
MARC L. MARKE, PA.
THOMAS J. TAURKE, IOWA
THOMAS J. BLILEY, JR., VA.
JAMES T. BRYANT, N.C.
(EX OFFICIO)

U.S. House of Representatives
SUBCOMMITTEE ON TELECOMMUNICATIONS,
CONSUMER PROTECTION, AND FINANCE
OF THE
COMMITTEE ON ENERGY AND COMMERCE
Washington, D.C. 20515

September 23, 1982

TO: Members and Staff, Committee on Energy and Commerce

FROM: Timothy E. Wirth, Chairman, Subcommittee on Telecommunications, Consumer Protection, and Finance

SUBJECT: Telecommunications for the Disabled Act of 1982
(H.R. 7168)

On September 22, 1982, fourteen members of this Committee joined Mr. Pepper, chairman of the Committee on Aging, and Dr. Long of Maryland to introduce the Telecommunications for the Disabled Act of 1982. The legislation is an effort to reach a compromise between a bill previously introduced by Dr. Long, H.R. 375, and S. 2355, which passed the Senate on August 18, 1982. The bill also addresses the need of persons with physical disabilities to obtain specialized terminal equipment at affordable prices after the Federal Communications Commission's Computer II decision deregulates telephones and other equipment now provided by the local telephone company.

I. Need for Legislation

The Nation's telephone companies have traditionally gone to substantial lengths to accommodate the needs of the physically impaired. The Bell System Companies have shown a particular commitment to the handicapped, perhaps reflecting that Dr. Bell invented the telephone in the course of his attempts to aid the deaf. One prominent example of the industry's efforts has been the maintenance of public telephones that are compatible with hearing aids. Today, all coin-operated telephones owned by Bell Operating Companies can be used with specially designed hearing aids; by the end of this year, the same will be true in territories served by GTE.

Presently, telephone companies also cooperate with State utility commissions to ensure that persons with other handicaps have access to our telephone network. The totally deaf may obtain teletypewriters from the local telephone company. Persons unable to speak can use artificial larynxes developed by Bell Labs. Perhaps most dramatically, persons with severe mobility impairments can signal an operator by exhaling on a piece of tin foil. Last week, Bell Labs announced another breakthrough for the disabled -- a paralyzed individual would be able to activate a telephone with his voice, speak the number, and complete a call without assistance. Many local telephone companies provide these types of equipment below cost, and the unrecovered expenses of including these persons in the network are shared by all users.

In most States, carriers have worked with the State commission to develop reasonable programs to meet the needs of the hearing aid user and of other persons with special problems. But an unintended consequence of a new government regulation would jeopardize this status quo and make it impossible for the telephone company effectively to serve the handicapped.

Computer II, which becomes effective this January, will prohibit telephone companies from subsidizing terminal equipment and will require each user to pay the full market price for equipment in his or her home and place of business. For ordinary ratepayers, deregulation ensures a competitive market in telephone sets that eliminates subsidies from local rates. The FCC has properly relied upon competition to provide ordinary telephone equipment at affordable prices. For the disabled, however, the ban on cross-subsidization will mean price increases on the costly devices that are necessary for them to have access to the telephone network. If the disabled person is unable to afford the full costs of this equipment, he or she will lose telephone service. This will disserve the statutory goal of universal service and may deprive the individual of an opportunity to be gainfully employed or even require him or her to enter an institution. The costs to society, as well as the impairment to the quality of the individual's life, far exceed the costs that the current system allows telephone companies to include in their general revenue requirements. The current system relies on the private enterprise of the telephone carriers rather than on a government bureaucracy to ensure that the handicapped are part of the telephone network. If Computer II were implemented, could any of us expect State and local governments to establish procurement authorities to purchase and install the equipment the disabled need to communicate? Even if the States could assume this burden, it is unlikely that they could achieve the task as cost-effectively as the telephone company.

H.R. 5158 included a more comprehensive attempt to ensure continued universality of telephone service after the deregulation of competitive carriers and the divestiture of the Bell System. Since all Americans benefit from our ability to reach rural areas, a system of access charges provided a market mechanism to finance an efficient share of high-cost lines. Although comprehensive reform legislation must now wait for action in the 98th Congress, H.R. 7168 is a specific step we can take to help this important group -- the physically disabled -- before Computer II takes effect in January.

II. Relationship of Legislation to Existing Law

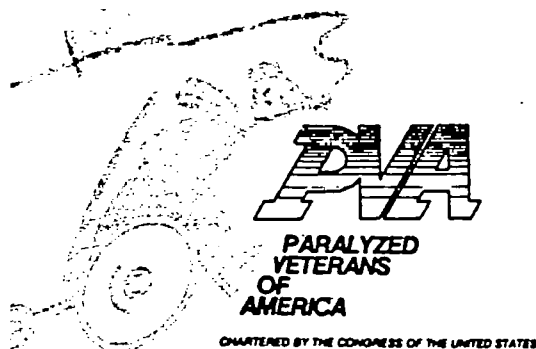
There is no specific provision of federal law relating to telecommunications for the disabled. The matter has traditionally been handled by State law and State regulatory action. The State of California, for example, has a statute that requires telephone companies to provide special equipment at nominal rates with excess costs recovered in the general revenue requirement. Computer II preempts these State laws and deregulates all terminal equipment effective January 1, 1983.

The bill requires a rulemaking at the FCC to make Computer II consistent with the legislation. Because of the industry's record of cooperation with State commissions, the legislation does not specifically address the possibility that a carrier will decline to participate in a program to make equipment available. The Commission may address this issue, if necessary, in its reconsideration of Computer II.

The bill states that the Commission will require essential telephones to be "operated" so as to enable effective use by persons using specially designed hearing aids. It does not, however, envision direct enforcement of this requirement by the FCC against persons other than carriers (such as hotel owners) who "operate" telephone. Again, the bill expects widespread voluntary compliance and makes clear that federal law will no longer preempt State and local enforcement efforts. The FCC may also require carriers to include as a condition of offering tariffed service the requirement that subscribers operating places of public accommodation comply with the Act.

H.R. 7168 has been endorsed by:

American Association of Retired Persons
American Council of the Blind
American Telephone and Telegraph Co. and the Bell System Companies
Disabled American Veterans
Gallaudet College
General Telephone and Electronics
Independence Center of Northern Virginia
National Association of the Deaf
National Easter Seals
Paralyzed Veterans of America



September 22, 1982

Honorable Timothy E. Wirth, Chairman
Subcommittee on Telecommunications,
Consumer Protection, and Finance
Committee on Energy and Commerce
U.S. House of Representatives .
Washington, D. C. 20510

Dear Representative Wirth:

On behalf of the 11,000 members of Paralyzed Veterans of America, I want to express appreciation for your efforts to promote access to the telephone communications system for individuals with physical impairments. Your recognition of the importance of improved and available communications for disabled citizens and the essential role modern communications play in assisting disabled people to achieve maximum independence is gratifying.

Your legislative proposal clearly addresses many problems presently facing disabled citizens regarding the acquisition and payment for specialized communications equipment. The recent Federal Communications Commission decision, Computer II, would preclude many individuals from obtaining this necessary, and often only means of contact with other people including vital medical and emergency personnel. Additionally, this FCC decision serves to retard technological innovations which benefit disabled people by drastically restricting their use and potential market.

Under the Computer II decision telephone companies would be prevented from subsidizing special and unique equipment which meet the needs of handicapped individuals. This not only will sever their primary means of communications but will also, in certain cases, prevent their gainful employment. This decision is unduly harsh and restrictive as it applies to devices for disabled people and presents a great hardship and peril to many of the most catastrophically disabled citizens.

Again, thank you for your recognition of this issue. If I or any member of my staff can further assist you in securing passage of this legislation, please contact us.

Sincerely yours,


R. Jack Powell
Executive Director



Motto: "If I cannot speak good of my comrade, I will not speak ill of him."

DISABLED AMERICAN VETERANS

NATIONAL SERVICE and LEGISLATIVE HEADQUARTERS
807 MAINE AVENUE, S.W.
WASHINGTON, D.C. 20024
(202) 554-3501

September 23, 1982

Honorable Timothy E. Wirth
U.S. House of Representatives
Chairman, Subcommittee on Telecommunications,
Consumer Protection and Finance
Committee on Energy and Commerce
B331 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Wirth:

I am writing to you in response to the legislation you are proposing that would amend the Communications Act of 1934 to provide reasonable access to telephone service for persons with impaired hearing and enable telephone companies to accommodate persons with other physical disabilities.

Quite frankly, the Disabled American Veterans has supported efforts to improve the lives of all American citizens with physical and mental disabilities, particularly, those disabled while in the wartime service to the United States.

A review of the legislation which you are proposing reveals that essential and frequently used coin operated telephones will be made compatible for specially equipped hearing aids utilized by the hearing impaired.

As equally important, your bill will finally permit telephone companies to make special telephone communications equipment available to the seriously handicapped at affordable costs.

Chairman Wirth, the DAV believes that your proposal will, if enacted, go a long way towards improving the quality of life for millions of hearing impaired and physically handicapped Americans.

Honorable Timothy E. Wirth
September 23, 1982
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On behalf of the 687,000 members of the Disabled American Veterans, I am pleased to strongly endorse your proposal and thank you for your endeavors to enable handicapped citizens to gain greater freedom and access to the mainstream of American society.

Sincerely yours,

A handwritten signature in cursive script that reads "Edward G. Galian". The signature is written in dark ink and is positioned above the printed name and title.

EDWARD G. GALIAN
National Commander

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